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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,400	12/17/1999	MICHAEL FRIEDOW	10191/1172	1125

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EXAMINER

LEON, EDWIN A

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 12/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/466,400

Applicant(s)

FRIEDOW ET AL.

Examiner

Edwin A. León

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-7,9-16 and 19 is/are rejected.
- 7) ☒ Claim(s) 4,8,17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's Appeal Brief filed October 15, 2002 has been placed of record in the file as Paper No. 18.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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4. Claims 1, 3, 5, 7, 9-16 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kitatani et al. (U.S. Patent No. 5,759,069). With regard to Claim 1, Kitatani et al. discloses a device for contacting an electrically operated apparatus (J), comprising: at least one terminal contact (6, 8) on a side of the apparatus (J), the at least one terminal contact (6, 8) being oriented parallel to an installation direction of the apparatus (J); and a plug (P) including at least one sleeve contact (2,3), the at least one sleeve contact (2,3) and the at least one terminal contact (6, 8) being adapted to be assembled together parallel to the installation direction and the at least one terminal contact (6, 8) includes two concentric terminal contacts (6,8) at least one sleeve contact (2,3) including two concentric sleeve contacts (2,3). See Figs. 3 and 6.

With regard to Claim 3, Kitatani et al. discloses the sleeve contacts (2,3) are each in contact with the terminal contact (6, 8) on an outside circumference when joined together. See Figs. 3 and 6.

With regard to Claim 5, Kitatani et al. discloses insulation (9) situated between the terminal contact (6, 8). See Figs. 3 and 6.

With regard to Claim 7, Kitatani et al. discloses a back wall (between 2 and 3) of the plug (P) acts as a further insulation which, together with the insulation (9) between the terminal contact (6, 8), form two contact chambers insulated from one another. See Figs. 3 and 6.

With regard to Claim 9, Kitatani et al. discloses the at least one sleeve contact (2,3) includes a cylindrical segment. See Figs. 3 and 6.

With regard to Claim 10, Kitatani et al. discloses the at least one sleeve contact (2,3) having polygonal cross section. See Figs. 3 and 6.

With regard to Claim 11, Kitatani et al. discloses the at least one sleeve contact (2,3) has a diameter so as to overcome a predetermined contacting force when connected. See Figs. 3 and 6.

With regard to Claim 12, Kitatani et al. discloses the sleeve contacts (2,3) have inclined insertion guides. See Figs. 3 and 6.

With regard to Claim 13, Kitatani et al. discloses a plurality of punched grid conductors (1) connected to the plug (P). See Figs. 3 and 6.

With regard to Claim 14, Kitatani et al. discloses a first of the sleeve contacts (2,3) and a first of the punched grid conductors (1) are a one-piece unit, and a second of the sleeve contacts (2,3) and a second of the punched grid conductors (1) are a one-piece unit. See Figs. 3 and 6.

With regard to Claim 15, Kitatani et al. discloses the sleeve contacts (2,3) are formed by one of bending and folding the punched grid conductors (1). See Figs. 3 and 6.

With regard to Claim 16, Kitatani et al. discloses the sleeve contact (2,3) being configured to substantially surround a respective one of the terminal contacts (6,8) when the at least one sleeve contact (2,3) and the at least one terminal contact (6,8) are assembled. See Figs. 3 and 6.

With regard to Claim 19, Kitatani et al. discloses the two sleeve contacts (2,3) connecting the two terminal contacts (6,8) and the sleeve contacts (2,3) having only one circumferentially contiguous contact area. See Figs. 3 and 6.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitatani et al. (U.S. Patent No. 5,759,069) in view of Taylor (U.S. Patent No. 5,971,810). With regard to Claim 6, Kitatani et al. discloses the claimed invention except for the insulation including an insulating sleeve composed of a plastic.

Taylor et al. discloses the use of plastic as insulation. See Column 6, Lines 16-19 and Lines 55-57, and Column 7, Lines 19-25.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the device of Kitatani et al. by using plastic as insulation as taught in Taylor et al. in order to improve the insulating capabilities of the device without increasing the manufacturing costs.

Allowable Subject Matter

7. Claims 4, 8 and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The references fail to teach, disclose, or suggest, either alone or in combination, a the terminal contacts having two contact plates bent into a cylindrical shape and situated on an end of a casing of the apparatus, a printed conductor of the interior sleeve contact passing through a recess in the exterior sleeve contact, the electrically operated apparatus including at least actuator one of an actuator, a hydraulic actuator, a solenoid valve and a pressure regulator and in combination of the limitations of the base claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1 and 3-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Edwin A. Leon
AU 2833

EAL
December 18, 2002


P. AUSTIN BRADLEY
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